
Health Care & Wellness Committee

SSB 6327

Brief Description: Providing for hospital discharge planning with lay caregivers.

Sponsors: Senate Committee on Health Care (originally sponsored by Senators Bailey, Keiser, Nelson, Conway, Mullet and Dammeier).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Requires hospital discharge policies and criteria to provide an opportunity for patients to designate a lay caregiver and include lay caregivers in discharge planning.
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Hearing Date: 2/23/16

Staff: Ariele Landstrom (786-7190).

Background:

Hospitals are required to establish and maintain a system for discharge planning. They also must establish written policies and procedures to:

- identify patients needing further nursing, therapy, or supportive care following discharge from the hospital;
- develop a documented discharge plan for each identified patient, including relevant patient history, specific care requirements, and the date any follow-up care is to be initiated; and
- coordinate with patient, family, caregiver, and appropriate members of the health care team.

A health care provider, an individual who assists a health care provider in the delivery of health care, or an agent and employee of a health care provider may not disclose health care information about a person to any other person without the patient's written authorization. A health care provider or facility may disclose health care information, except information related to sexually transmitted diseases, about a patient without the patient's authorization to the extent a

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recipient needs to know the information, if the disclosure is to a person who the provider or facility reasonably believes is providing health care to the patient.

Federal law allows hospitals to share information that is directly relevant to the involvement of a spouse, family member, friend, or other person identified by the patient, in the patient's care.

Summary of Bill:

"Lay caregiver" is defined as any individual designated as such by a patient who provides aftercare assistance to a patient living in the patient's residence.

Hospital discharge policies must ensure that a discharge plan is appropriate for a patient's physical condition and emotional and social needs. If a lay caregiver is designated, the discharge policies must take into consideration the lay caregiver's abilities as disclosed to the hospital.

As part of a patient's individualized treatment plan, the discharge criteria must include the following:

- the details of the discharge plan;
- hospital staff assessment of the patient's ability for self-care after discharge;
- an opportunity for the patient to designate a lay caregiver;
- documentation of any lay caregiver's contact information;
- a description of aftercare tasks necessary to promote the patient's ability to stay at home;
- an opportunity for the patient and the lay caregiver, if designated, to participate in discharge planning;
- instruction or training provided to the patient and lay caregiver, if designated, on aftercare tasks; and
- notification to a lay caregiver, if designated, of the patient's discharge or transfer.

Hospitals are not required to adopt discharge policies or criteria that:

- delay a patient's discharge or transfer to another facility or to home; or
- require the disclosure of protected health information to a lay caregiver without obtaining a patient's consent as required by state and federal laws governing health information privacy and security.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.